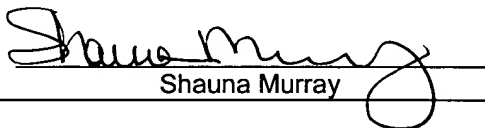




1615
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Shauna Murray

PATENT

Inventor: Fitzhugh et al
Serial No.: 09/865,242
Filing Date: 05/10/2000
Title: NITRIC OXIDE-RELEASING
METALLIC MEDICAL
DEVICES
Examiner: Fubara
Group Art Unit: 1615
Atty Docket No.: PA397 (14364-0038)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.56, Applicants submit herewith patents, publications or other information of which they are aware that may be considered in connection with the above-referenced patent application. Submission of this Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "material" to applicants' invention as that term is currently defined in 37 CFR § 1.56 (37 CFR § 1.97(h)).

In accordance with 37 CFR § 1.97(g), the filing of this Information disclosure Statement shall not be construed to mean that a search has been made or that no other relevant information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any matter. Notice of January 9, 1992, 1135 O.G. 13-25 at 25.

Applicant: Fitzhugh et al.
Serial No.: 09/865,242
Group Art Unit: 1615

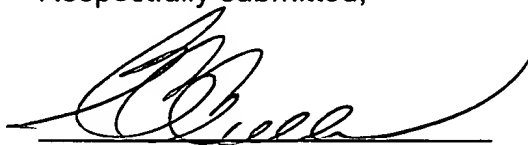
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Docket No. PA397 (14364-0038)

A Patent and Trademark Office Form PTO/SB/08A listing each of these informational items is enclosed along with a copy of each item.

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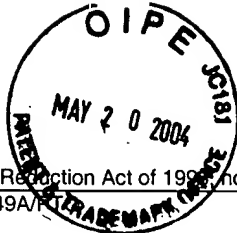
Respectfully submitted,

Dated: 5/16/04



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(use as many sheets as necessary)

Sheet	1	of	1	Application Number	09/865,242
				Filing Date	05/25/2001
				First Named Inventor	Fitzhugh et al.
				Group Art Unit	1615
				Examiner Name	Fubara
				Attorney Docket Number	14364-0038

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US - 5,171,217	12-15-1992	March et al.	
	2	US - 5,837,313	11-17-1998	Ding et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publications of Cited Documents MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		WO	0030658	A1	Smith et al.	06-02-2000		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Bauer et al.; Evaluation of Linear Polyethyleneimine/nitric Oxide Adduct on Wound Repair: Therapy versus Toxicity; Wound Repair & Regeneration, November/December 1998, pp. 569/577	
		Hanson et al.; Nitric Oxide Donors: A Continuing Opportunity in Drug Design; Advances in Pharmacology, Vol 34, pp. 383/398	
		Jordi; Jordi Gel Columns for Size Exclusion Chromatography; Column Handbook for Size Exclusion Chromatography; 1999, pp.367/425	
		Downey et al.; Growth Mechanism of Poly(divinylbenzene) Microspheres in Precipitation Polymerization; American Chemical Society, Easton, US, Vol. 32, No. 4, 4 May 1999; pgs 2838-2844	
		Pulfer et al.; Incorporation of Nitric Oxide-Releasing Crosslinked Polyethyleneimine Microspheres Into Vascular Grafts; Journal of Biomedical Materials Research; Wiley, New York, NY, Vol. 37, No. 2, November 1997 (1997-11); pp/ 182-189	
		Zhang et al.; Synthesis of Nitric Oxide Releasing Silicone Rubbers for Biomedical Applications; Polymer Preprints; Vol. 40, No. 2, 1999, pgs 799-800	
		Kaul et al.; Polymeric/Based Perivascular Delivery of a Nitric Oxide Donor Inhibits Intimal Thicening After Balloon Denudation Arterial Injury: Role of Nuclear Factor/kappaB; Journal of the American College of Cardiology, Vol. 35, No. 2, 2000:493/501	
		Mowery et al.; Preparation and Characterization of Hydrophobic Polymeric Films That Are Thromboresistant Via Nitric Oxide Release; Biomaterials 21 (2000) 9/21	
		Smith et al.; Nitric Oxide/Releasing Polymers Containing the [N(O)NO] Group; J.Med.Chem. 1996, 39, 1148/1156	

Examiner Signature		Date Considered	
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